

"Express Mail" mailing label number EV 683 836 078 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE**  
**(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER		
CASM127424		
U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)		
10/576,217		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	EARLIEST PRIORITY DATE CLAIMED
PCT/AU04/01422	15 October 2004	15 October 2003
TITLE OF INVENTION		
ACCUMULATING REFRIGERATION APPARATUS		
APPLICANT(S) FOR DO/EO/US		
John MOTT		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information by **Express Mail**:

- 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
- 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- 4. The US has been elected (Article 31).
- 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. is attached hereto (required only if not communicated by the International Bureau).
  - b. has been communicated by the International Bureau.
  - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
- 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
- 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. are attached hereto (required only if not communicated by the International Bureau).

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CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
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Suite 2800  
Seattle, Washington 98101  
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- b. have been communicated by the International Bureau.
  - c. have not been made; however, the time limit for making such amendments has NOT expired.
  - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

- 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98. Copies of the listed foreign patents are enclosed for the Examiner's use. A concise explanation of the relevance of document Cite Nos. F2 and F3 (which are not in the English language), as presently understood by the individual designated under 37 C.F.R. § 1.56(c) most knowledgeable about their content, is provided in an English abstract appended to each document.
- 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- 13. A preliminary amendment. Please enter the Preliminary Amendment prior to calculation of the filing fee. The "Amendments to the Claims" section adds \_\_\_\_\_ additional pages to the application, bringing the total number of pages to \_\_\_\_\_.
- 14. An Application Data Sheet under 37 C.F.R. 1.76.
- 15. A substitute specification.
- 16. A power of attorney and/or change of address letter.
- 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 – 1.825 is transmitted herewith in printed and computer-readable formats. The paper and computer-readable copies of the sequence listing are the same and do not contain new matter. Entry of the sequence listing into the application is requested. The paper copy comprises \_\_\_\_\_ additional pages.
- 18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- 20. Other items or information: Copy of Notice of Missing Requirements.

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The following fees are submitted:				<b>CALCULATIONS</b>																									
21.	a) Basic national fee .....	\$300		\$																									
22.	b) Examination fee If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....	\$0.00		\$																									
All other situations .....		\$200.00																											
23.	c) Search fee If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....	\$0.00		\$																									
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....	\$100.00																												
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ....	\$400.00																												
All other situations .....	\$500.00																												
<b>TOTAL OF ABOVE CALCULATIONS =</b>																													
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.																													
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate																										
- 100 =	/50=		x \$250	\$																									
Surcharge of \$130 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$130																									
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">CLAIMS</th> <th style="text-align: left; padding: 2px;">NUMBER FILED</th> <th style="text-align: left; padding: 2px;">NUMBER EXTRA</th> <th style="text-align: left; padding: 2px;">RATE</th> <th colspan="2" style="text-align: right; padding: 2px;"> </th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">Total claims</td> <td style="padding: 2px;">- 20 =</td> <td style="padding: 2px;"></td> <td style="padding: 2px;">x \$50</td> <td style="text-align: right; padding: 2px;">\$</td> <td style="text-align: right; padding: 2px;"> </td> </tr> <tr> <td style="padding: 2px;">Independent claims</td> <td style="padding: 2px;">- 3 =</td> <td style="padding: 2px;"></td> <td style="padding: 2px;">x \$200</td> <td style="text-align: right; padding: 2px;">\$</td> <td style="text-align: right; padding: 2px;"> </td> </tr> <tr> <td colspan="4" style="padding: 2px;">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td><td style="text-align: right; padding: 2px;">+ \$360</td><td style="text-align: right; padding: 2px;">\$</td></tr> </tbody> </table>						CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	- 20 =		x \$50	\$		Independent claims	- 3 =		x \$200	\$		MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360	\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																										
Total claims	- 20 =		x \$50	\$																									
Independent claims	- 3 =		x \$200	\$																									
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360	\$																								
<b>TOTAL OF ABOVE CALCULATIONS =</b> \$130																													
Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.																													
<b>SUBTOTAL =</b> \$65																													
Processing fee of \$130 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).																													
<b>TOTAL NATIONAL FEE =</b> \$65																													
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property.																													
<b>TOTAL FEES ENCLOSED =</b> \$65																													
			Amount to be refunded:	\$																									
			Amount to be charged:	\$																									

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- X      a. Check No. 174604 in the amount of \$65.00 to cover the above fees is enclosed.
- X      b. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

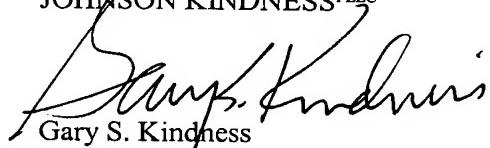
SEND ALL CORRESPONDENCE TO:

**Customer No. 26389**

Gary S. Kindness  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
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Seattle, WA 98101

Respectfully submitted,

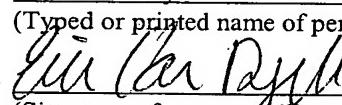
CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>

  
Gary S. Kindness  
Registration No. 22,178  
Direct Dial No. 206.695.1702

**EXPRESS MAIL CERTIFICATE**

Express Mail No.: EV 683 836 078 US  
Date of Deposit: April 9, 2007

I hereby certify that this document and the enclosures listed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Erin Van Dyck  
(Typed or printed name of person mailing paper or fee)  
  
(Signature of person mailing paper or fee)

GSK:aew

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# COPY

Page 1 of 2

GSK

**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/576,217	John Mott	CASM127424
INTERNATIONAL APPLICATION NO.		
PCT/AU04/01422		
I.A. FILING DATE	PRIORITY DATE	
10/15/2004	10/15/2003	
<b>CONFIRMATION NO. 7405</b>		
<b>371 FORMALITIES LETTER</b>		
*OC000000022828546*		

Date Mailed: 03/09/2007

**DOCKETED****NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/14/2006
- Copy of the International Search Report filed on 04/14/2006
- Preliminary Amendments filed on 04/14/2006
- Small Entity Statement filed on 04/14/2006
- Request for Immediate Examination filed on 04/14/2006
- U.S. Basic National Fees filed on 04/14/2006
- Priority Documents filed on 04/14/2006

**PROCESSED  
DOCKETING**

MAR 16 2007

CHRISTENSEN O'CONNOR  
JOHNSON & KINDNESS

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

RCD

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/576,217	PCT/AU04/01422	CASM127424

FORM PCT/DO/EO/905 (371 Formalities Notice)